

act public general laws and without regard to the requirement that no county be exempt from a public general law.

Under Delegate Clagett's amendment, the legislature may act in the eight situations without regard to the requirement that no county be exempt from a public general law.

Under Delegate Clagett's amendment, the legislature may act in the eight situations without regard to the requirement that it act by public general law, but it must adhere to the requirement that no county be exempt.

DELEGATE PULLEN: That is a very fine explanation. I am sorry I did not ask you in the first place, but the comment I would like to make is three French words. It seems to me it is "la meme chose".

THE PRESIDENT: Delegate Case.

DELEGATE CASE: Mr. Chairman, I find myself in this situation. Delegate Clagett does not understand Delegate Carson, and Delegate Carson does not understand Delegate Clagett, and I do not understand either one of them, and I am right in the middle and I do not understand your explanation either.

Now, what I am getting at is this: if the second requirement of the so-called Clagett Amendment, if that requirement must be met, that is to say, no county can be exempt, are you not thrown right back into the first requirement by definition, namely, that you have a public general law?

THE PRESIDENT: The Chair thinks so, but it was merely explaining and not expressing an opinion.

DELEGATE CASE: If this is correct, then I submit with all respect to Delegate Clagett, his amendment does not make any sense.

THE PRESIDENT: Delegate Mentzer.

DELEGATE MENTZER: I believe the Style Committee made a serious error in changing the wording of this section. I would support Delegate Clagett's amendment. I think it was a very desirable reform to come out of the local Government Committee that counties should not be exempt from public general laws. I think it would be very desirable and the intent of the Committee of the whole to go back to this.

THE PRESIDENT: Are you ready for the question?

Delegate Clagett, you no longer have the floor. You have spoken twice.

DELEGATE CLAGETT: I would like to correct a misconception by Delegate Case.

THE PRESIDENT: I am sorry. Unless there is unanimous consent, you do not have the right to speak. Is there any objection to Delegate Clagett speaking a third time?

The Chair hears no objection. You may speak.

DELEGATE CLAGETT: Delegate Case, I ask you to consider this example. If the General Assembly passes a bill providing that an income tax may be levied by Prince George's County and Montgomery County, that is a local law and that is all right. If however, the General Assembly passes a bill which says that all counties may impose an income tax except Prince George's County and Montgomery County, that is a bill under the guise of a general law providing for an exemption or exception from the effect of the general law, and that is what I wish to prohibit.

It is that method of approach by the General Assembly where we have had so much trading back and forth where one county says if you will exempt me from the effect of this general law, I will vote to exempt you from the effect of a general law dealing with the area of natural resources where, let us say, pollution is involved and so it is traded back and forth.

THE PRESIDENT: Delegate Clagett, I think you are going beyond the statements you made. May the Chair ask you this, and not in any attempt to confound the issue, but merely to understand your last comment. If I understand you, you gave the illustration that under your amendment a bill which would say that Prince George's and Montgomery Counties could pass an income tax law, would be valid, but that a bill which said every county except Montgomery and Prince Georges could pass an income tax law would be invalid which led me to the question if the bill in form said that the following counties and named all by the name except Montgomery and Prince George's could enact an income tax law. I take it under your first illustration that would be valid. Is that what you are saying?

DELEGATE CLAGETT: That is correct.

THE PRESIDENT: So the difference between the two then would be solely one of form?